



THE INGREDIENTS FOR A SUCCESSFUL GBF: UPDATED VERSION

The elements that should form part of it and those that shouldn't
and the reasons why

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bit.ly/3gTQlyM

There can be no agreement to save nature without inclusion of Indigenous Peoples and Local Communities

International Indigenous Forum on Biodiversity (IIFB)

Any agreement from COP15 of the Convention on Biological Diversity (CBD) must respect, promote and support the rights of Indigenous Peoples and Local Communities (IPLCs) if it stands any chance of succeeding.

"As global citizens, we are all part of, and not separate from, nature", said Lakpa Nuri Sherpa, Co-Chair of the IIFB, and programme lead at AIPP (Asia), speaking in Montreal as COP15 opens. "As Indigenous Peoples, we have been custodians of our lands, territories and waters for millennia – and evidence shows our lands are among the most biodiverse on the planet" he said.

Ramiro Batzin, Co-Chair of the IIFB, and representing Latin America, said "by respecting the territoriality of Indigenous Peoples, respecting our knowledge and our contributions, the Global Biodiversity Framework – including targets to ensure humanity lives in harmony with nature – will succeed!".

"A human rights-based approach is crucial to a successful Global Biodiversity Framework", said Lucy Mullenkei, Co-Chair of the IIFB, Africa. "Recognition and respect of the rights of the communities is crucial."

IIFB notes that the implementation of the GBF must be based on scientific and other evidence, recognizing the

role of science, technology and innovation and that of other knowledge and innovation systems including traditional knowledge, practices, and technologies, while respecting the principles of free, prior and informed consent (FPIC).

The IIFB further noted that "the implementation of the GBF must ensure that the rights, knowledge, innovations and practices of IPLCs are respected, preserved and maintained with their FPIC, including through their full and effective participation in decision-making in accordance with national legislation, the United Nations Declaration on the Rights of Indigenous Peoples and international human rights instruments." We encourage all Parties to the CBD to enshrine the rights of IPLCs within the GBF and adopt a framework that truly will allow humanity to live in harmony with nature by 2050.

Join us for a press conference with the International Indigenous Forum on Biodiversity: 7 December 2022, 14:00 Montreal Time at Room 220D, Palais des Congres, COP15 | Online at: www.cbd.int/live Contact: Alice Mathew (ecila.mathew@gmail.com); Tom Dixon (tdixon@forestpeoples.org; WA: +44 7876 397915)

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What does a good Post-2020 Global Biodiversity Framework look like for Africa?

Simangele Msweli and Yemi Katerere, African Wildlife Foundation & African CSOs
Biodiversity Alliance

Amid the biodiversity crisis Africa still supports ±25% of the world's biodiversity that provides global public goods and crucial ecosystem services for Africa's local and national economies. Since the Post-2020 Global Biodiversity Framework (GBF) will be adopted during the 15th Conference of the Parties on the Convention on Biological Diversity (CBD COP15), outcomes of COP15 are significant for Africa, a continent under pressure to develop to meet the needs of its people.

We want GOOD COP outcomes for Africa and the world. BAD COP outcomes are not an option. For Africa, GOOD COP outcomes must include, amongst other elements, the following:

- Acknowledgement that the biodiversity crisis cannot be addressed when global and national-level inequities and injustices remain unresolved;
- An area- based conservation target aligned with

country priorities and to be implemented in accordance with the rights of Indigenous Peoples and Local Communities (IPLCs);

- Sustainable use is guaranteed in the Post-2020 GBF in line with provisions in the CBD and Nagoya Protocol and is not reduced to customary use
- A target that calls on governments to develop legally binding public policy to hold businesses accountable on how they access, report and decrease their impacts on biodiversity;
- The COP adopts a target to close the biodiversity financing gap currently estimated at \$700 billion and ensures money gets to local actors;
- The GBF targets must ensure effective and equitable participation of IPLCS, Women and Youth and end the historical marginalization of these groups.

Mother Earth has Rights too

Rachel Bustamante, Earth Law Center

COP15 is a defining moment and historical opportunity to restore a relationship of care and stewardship with biodiversity –the very turning point of continuing 'business as usual' or living in harmony with Mother Earth. To safeguard the well-being of humanity and Nature, for today and for future generations, we support the adoption of Rights of Mother Earth in Targets 11, 15 and 19.1.

How we value Nature is tightly linked to society's use and care for Nature and biodiversity. In the IPBES 2022 Values Assessment, relevant literature and diverse voices highlight the growing need for transformative change and the integration of diverse values of Nature into law and policy. Rights of Mother Earth (also known as Rights of Nature) acknowledges Nature's role as the source of all life, and supports and amplifies diverse ontologies to help restore our relationship with Mother Earth and her biodiversity to balance, reciprocity and holism.

Integrating diverse values of Nature into our legal framework will help transform conservation. Rights of Mother Earth will signify a non-binding but innovative approach to centralize an ethic of reciprocal responsibilities, interconnection and care into our legal, governance and economic systems. In turn, this will help us restore humanity's relationship with biodiversity, safeguard human rights, and reach our Sustainable Development Goals by protecting the ecosystems that support all life. This is a pivotal opportunity to provide Mother Earth with representation and respect, as it will help catalyze a paradigm shift in how we value and care for biodiversity.

Join our event hosted by Earth Law Center and Keystone Species Alliance on December 8 | 12pm in the Nature Positive Pavilion Large Room on Restoring our Relationship with Keystone Species. And read our recommendation for Rights of Mother Earth at: shorturl.at/nF0Q6

COP 15: an opportunity to hear the voice of the world's artisanal fishers, their contributions to the 2030 Agenda and the Post-2020 Global Biodiversity Framework

Marvin Fonseca Borrás and Vivienne Solís Rivera, CoopeSoliDar R.L

The year 2022 was declared by the United Nations as the International Year of small-scale Fisheries and Aquaculture (IYAFA). Looking back at what has happened on the planet, few milestones to celebrate are identified, largely due to the setbacks that occurred on the issues of participation and post-pandemic digital breach, which impacted more on the representatives of civil society and local and indigenous groups.

The 15th Conference of the Parties on the Convention on Biological Diversity (CBD COP 15) represents the last important event on the international agenda this year where we can listen to and advocate for the voice of artisanal fishers to be heard and for their needs and contributions to be reflected in the 2030 Agenda and the Post-2020 GBF.

Recent international meetings on conservation and sustainable use of the sea have been characterized by recognizing the importance of the participation of artisanal fishermen, especially when discussing issues that affect their territories of life, such as the 30 x 30 target and others. It is clear that conservation without a human rights-based approach, nor the exercise of the right to free, prior and informed consent (FPIC) by Indigenous, afro-descendant and local communities will not be possible, nor will it provide the expected results at the planetary level.

From the voice of the world's artisanal fishers, the guiding thread in the international agenda has been the position paper defined by "A CALL TO ACTION for small-scale artisanal fisheries", elaborated by

the movement of artisanal fishers from around the world, including the Confederation of African Organisations of Artisanal Fishers (CAOPA), the International Network of Locally Managed Marine Areas (LMMA), the Network of Responsible Fishing Areas and Marine Territories of Life, among others (see more information at <https://www.cffacape.org/ssf-call-to-action>).

The Call to Action is based on five major work objectives:

- Preferential access and co-management of 100% of the coastal zones;
- Ensuring women's participation and supporting their role in innovation;
- Protecting SSFs from competing blue economy sectors;
- Being transparent and accountable in fisheries management and governance;
- Ensure resilient communities to cope with climate change and offer prospects for youth.

COP 15 is an opportunity to listen to the voices of artisanal fishermen and their contributions to the conservation of global diversity. We invite the entire international community to listen to the voices of artisanal fishermen from around the world, raising their needs, but above all, building bridges that would allow the planet to move forward together on the issues of marine conservation and development, under a human rights approach. Join us on December 10, 16-17.30h Montreal time, in Room 512E at COP 15.

Target 8, imaginary gigatonnes, and the Land Gap

Doreen Stabinsky, Climate, Land, Ambition & Rights Alliance

Target 8 of the Post-2020 Global Biodiversity Framework (GBF) is where the nexus of climate change and biodiversity is to be captured. Climate change is a serious and growing threat to biodiversity and a GBF target on climate change is logical. Yet instead of focusing the target on the most important action needed to stop climate change and its impacts on biodiversity – ending the burning of fossil fuels– the target sets a quantitative goal for the contribution that “biodiversity” is supposed to make to climate action: “[contributing [by 2030] to at least 10 Gt CO₂ equivalent per year to global mitigation efforts].”

What are the implications of “contributing” 10 Gt CO₂-eq each year for land, biodiversity, Indigenous Peoples, and local communities? Scientists (1) have estimated that the average amount of carbon that can be responsibly sequestered in natural ecosystems each year over the course of the century is a little over 4 Gt CO₂. That difference between 4 and 10 Gt CO₂ is an example of a “land gap”, a gap between what is possible and what is imagined that land and ecosystems might contribute to global mitigation efforts.

The recent Land Gap Report (2) reviews country pledges under the Paris Agreement for what their land sectors might contribute to global mitigation. It finds that:

The total amount of land-based carbon removal included in pledges is unrealistic, almost 1.2 billion hectares, an amount equivalent to current global cropland.

Half of the land pledged for climate mitigation (633 million hectares) involved land-use change, primarily through plantations, with large potential impacts for ecosystems, food security, and the rights of Indigenous Peoples.

Climate pledges should focus instead on restoring ecosystems and maintaining the integrity and stability of existing ecosystems, including by recognizing the critical role played by Indigenous Peoples and Local Communities in protecting them.

According to one of the authors (3), “instead of trying to save the planet with imaginary trees”, or in the case of target 8, imaginary gigatonnes of carbon dioxide, the most important contribution to climate change in the land sector will be through protecting and restoring existing ecosystems.

(1) [https://www.cell.com/one-earth/pdf/S2590-3322\(22\)00323-2.pdf](https://www.cell.com/one-earth/pdf/S2590-3322(22)00323-2.pdf)

(2) <https://www.landgap.org/about-the-land-gap-report/>

(3) <https://enb.iisd.org/land-gap-report>

All CBD watchdogs should guard against synthetic biology threats to biodiversity

Adam Breasley, Foundation of Future Farming

COP Decision 14/19 (1) on synthetic biology sets important preconditions for any environmental release of gene drive organisms. This includes developing specific guidance on risk assessment of gene drive organisms at the Cartagena Protocol and obtaining Free, Prior and Informed Consent (FPIC) where gene drive organisms may impact on Indigenous Peoples and Local Communities’ (IPLCs) “traditional knowledge, innovations, practices, livelihoods and use of their lands and waters”. It is still unclear who would develop such guidance on risk assessment of gene drives and what range of concerns would be included.

COP decision 14/33 (2) on “procedure for avoiding or managing conflicts of interest in expert groups” was the result of freedom of information disclosures by civil society. It revealed that gene drive proponents improperly interfered in CBD expert deliberations to push through approval of gene drives without independent scientific assessment. A Canadian public relations firm engaged by the Bill & Melinda Gates Foundation coordinated this. Those defrauding expert deliberations attempted to delegitimize scientific concerns raised, and would shut down any formal consideration of socio-economic, cultural and ethical impacts, or concerns of

IPLCs. The subject of FPIC is still weak in COP decision 14/19, which says only FPIC “may be warranted” “where applicable in accordance with national circumstances and legislation.”

A new self-proclaimed “academia and research group” in Montreal posing as a major group appears to have been initiated by the same organizers exposed in the above mentioned decision. Such contemptuous tactics highlight the need for integrity and genuine inclusivity in the global governance of genetic technologies. Obscurantism in regulatory oversight of genetic technologies tries to conceal that these technologies allow for extensive manipulation of the genome of many more species.

With greater potential for unintended on and off-target effects, new genetic technologies require more precaution and democratic oversight. For that we need all CBD watchdogs to remain alert and at their posts.

(1) <https://www.cbd.int/doc/decisions/cop-14/cop-14-dec-19-en.pdf>

(2) <https://www.cbd.int/doc/decisions/cop-14/cop-14-dec-33-en.pdf>

Marine protected areas: both quantity and quality matters

Forum for the Conservation of the Patagonian Sea and Areas of Influence

Marine protected areas (MPAs) are key tools for marine biodiversity and ecosystems long-term protection. In addition to resource management strategies, MPAs complement efforts to preserve the health of the seas, with direct environmental, social and economic benefits. Other Effective Area-Based Conservation Measures (OECMs) were defined in 2018 by the Convention on Biological Diversity (CBD) to identify other sustained and concrete biodiversity conservation efforts.

In relation to MPAs and OECMs' implementation and management, both quality and quantity components are key issues. If the aim is to provide a comprehensive protection framework for marine biodiversity, it is necessary to protect at least 30% of the world's seas, as has been supported by several scientific works in the last years (O'Leary et al. 2016, Sala et al. 2021).

On the other hand, the identification, declaration and monitoring of these areas represent a challenge for countries. Within the context of the current worldwide ecological and climate crisis, OECMs should be established under clear, concrete and accepted international standards to enable their monitoring, reporting and a transparent access to

information. OECMs should NOT be applied to fishery closures. Currently, Argentina has 8.24% of designated MPAs; if fishery closure areas are counted as OECMs, the marine protected area would exceed 30%. Fishery closures where a contribution to conservation is identified should be documented under fisheries resources sustainable management, but not as a protected area or OECM.

It is a priority to increase the percentage of protected areas in the world's marine and coastal zones, particularly in the Argentine Patagonian Sea and areas of influence. In addition, legally binding MPAs that protect representative samples of marine environments, mitigate threats and help recover populations of endangered species should be declared. Their successful establishment essentially requires sustained funding and academia and civil society experts, coordinated support under highly qualified government managers leadership, in order to ensure MPA systems with a positive impact on biodiversity conservation and people.

More info at: <https://marpatagonico.org/publicaciones/amp/>

One step forward, two steps backward – will Parties come to an agreement?

Friedrich Wulf, Friends of the Earth Europe

Here we are at the junction of the two parts of the Montreal Biodiversity Conference. OEWG5 finished its work and submitted its results to COP15. The task was to resolve the remaining brackets in the six different Contact groups. Watching and listening to the discussions, it seems that while a few brackets could be lifted, many more new ones were added. This is of concern – if negotiations continue at this pace, no agreement can be reached. And this despite a four year-effort of getting opinions on board through a broad participatory process. It almost seems that having such a process has rather made differences clearer than actually creating consensus on how to save biodiversity.

While there are some differences on which way to go – for example whether to make agriculture sustainable through “agroecological approaches” or through “sustainable intensification” and techno-fixes, many of the suggested alternative wordings are quite similar. The basic structure of the Post-2020 Global Biodiversity Framework (GBF) and

the main content seem to be more or less clear. And the Post-2020 GBF has the potential to improve compared to the previous strategic plan. The new framework will anchor human rights much more strongly, and address the economy and the drivers in an unprecedented way and thus create the potential for transformative change. Its enhanced implementation mechanism will allow us to get a better understanding which levers to apply to move ahead, if it follows a harmonized structure, a peer review at national level and a ratcheting moment which gives implementation an additional push.

What Parties need to do now is to make every effort to overcome the differences and seek compromise on the smaller things, in order to reap the fruit of the immense labor that has been done so far. ECO counts on you.

Benefits of a comprehensive mechanism for the implementation, monitoring, reporting and review of the CBD and the GBF

Ioannis Agapakis, ClientEarth

Parties often approach transparency and accountability in the context of Multilateral Environmental Agreements with hesitation, or even apprehension. Yet, far from a naming-and-shaming exercise (for which they are often mistaken), such processes build a sense of collective responsibility and mutual trust towards a common objective. When it comes to the CBD, it should not be forgotten that biodiversity constitutes a common concern of humankind, and an existential pillar of humanity's future survival, further underscoring why the outcome of these negotiations should constitute a call for coordinated and bold action that leaves no Party alone in the daunting task of effectively tackling the biodiversity crisis.

Mechanisms for the planning, implementation, monitoring, reporting and review of the CBD (and, in consequence, the Global Biodiversity Framework -GBF) represent the tool, through which global and individual action towards that common objective can be catalysed. If structured in the form of an Enhanced Implementation Cycle, such processes can prove extremely beneficial for all Parties, particularly so for developing ones.

Nationally, National Biodiversity Strategies and Plans of Action (NBSAPs) adopted as whole-of-government policy instruments have the untapped potential to harmonise executive decision-making and mainstream biodiversity into all sectors, thus compounding the positive biodiversity impacts of Parties' actions. Simultaneously, they are key in empowering all members of civil society (particularly rights holders, such as Indigenous Peoples and Local Communities, women, youth) to fulfil their central role for the GBF, and contribute to the identification of national priorities, coverage of knowledge gaps and the verification of Parties' progress, and further optimisation of implementation efforts.

Simultaneously, a global review of progress shall serve as a collective learning experience, enabling decision-makers to identify common or repeated implementation gaps and shortcomings and unlock additional means of implementation needed to overcome them. Through a country-by-country review process this can even lead to the provision of recommendations and assistance tailored to Parties' specific needs.

Is the BRI in line with an “ecological civilization?” Whose future counts?

Allison Constantine, Global Forest Coalition

China's Belt and Road Initiative (BRI), hailed as being a new strategy to connect the world with Asia through various forms of trade, suffers from a lack of transparency around some of its more negative impacts. Worryingly, human rights abuses and environmental concerns (including massive risk for biodiversity [1]) are often left unaddressed, as a new briefing paper by the Global Forest Coalition analyses.

Disasters including flooding, landslides, deforestation and involuntary displacement have ensued, and many Indigenous Peoples have expressed concerns over lack of consultation. While IIFB and others aligned with Indigenous Peoples at CBD COP15 demand Free, Prior and Informed Consent (FPIC) and respect for Indigenous rights and traditional knowledge to be included in biodiversity frameworks going forward, when it comes to the BRI, on-the-ground consultation is not required or encouraged during planning and implementation stages of BRI construction and Indigenous Peoples' concerns are often ignored. Additionally, any meaningful gender analysis is also altogether missing from most, if not all, BRI project stages. Women and gender-diverse people, especially those from Indigenous and rural communities, are often disproportionately affected by

harmful development – without gender analysis we cannot see exactly how they are impacted.

All of this considered, we need to ask: how exactly are BRI projects supporting an “ecological civilization” as proposed by China during the 2021 CBD? How are biodiversity loss and human rights abuses, the lack of FPIC with Indigenous Peoples, and lack of gender-responsiveness congruous with “building a shared future for all life on Earth” if the concerns of some are heavily prioritized over others? While the voices of those who are made most marginalized are continuously ignored on the global stage, we must ask: Whose lives count to world leaders? Ultimately, divestment from all harmful BRI projects is necessary if we are to make any progress in the protection of biodiversity and human rights globally.

The briefing paper “Is the BRI Congruous with COP15's Promise of an “Ecological Civilisation? A Study on the Initiative's Impacts on Gender Justice, Indigenous Rights, and Biodiversity” can be downloaded at: www.globalforestcoalition.org

(1) <https://chinadialogue.net/en/nature/11142-orangutan-species-at-risk-of-extinction-after-legal-challenge-fails/>